

Notice of Allowability

Application No.

10/561,364

Examiner

Lee Y Quach

Applicant(s)

LAENEN ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 9/26/06.
2. ☒ The allowed claim(s) is/are 8-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Y Quach Lee
Primary Examiner
Art Unit 2875

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1. The following is an examiner's statement of reasons for allowance:

Claim 8 is allowed because the prior art whether individual or in combination does not teach the main body having an upper part that includes the optics module with the upper part fixed to a lower part in tiltable relation about a horizontal axis being an independent from the pivoting means for adjusting the optical axis in combination with the other features as claimed in claim 8. Claim 9 further limit allowed claim 8 and as such are also allowed. Claim 10 is allowed because the prior art whether individual or in combination does not teach the main body having an upper part including the optics module with the upper part fixed to a lower part in tiltable relation about a horizontal axis and rotatable about a vertical axis in relation to the lower part supporting the upper part in combination with other features as claimed in claim 10. Claims 11 to 15 further limit allowed claim 10 and as such are also allowed. Claim 16 is allowed because the prior art whether individual or in combination does not teach the main body including an upper part supported by the lower part so that the upper part is movable about at least one axis for adjusting an optical axis, means for locking the upper part in fixed relation to the lower part, an optical module having optical components for generating a light beam along the optical axis and pivoting means for releasably attaching the module with the upper part so that the module may be removed from the main body without varying the optical axis. Claims 17 to 19 further limit allowed claim 16 and as such are also allowed.

2. Grindle is cited to show a main body having an optics module (1) having optical components (4, 13, 14) for generating a light beam along an optical axis and a rear section (3), an upper part (6) supported by a lower part (5) so that the upper part attached to the optical module is movable about at least one axis in relation to the lower part for adjusting the optical axis, and pivoting means (9) for releasably attaching the rear section with the optics module so that the rear section may be removed from the optics module by unscrewing the rear section from the optics module and tilting the rear section backward and moving upright position to raise slightly so that the T shaped projection can be withdrawn rearwardly through the upper portion of the T shaped slot.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service 571-272-2815.

Y. Q.
September 30, 2006



Y Quach Lee
Primary Examiner
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